Chief Justice of India. Government is implementing a scheme for computerization of District and Subordinate Courts which includes upgradation of the Information and Communication Technology infrastructure of the Superior Courts. Fast Track Courts have been set up for speedy disposal of long pending Sessions cases and the cases involving undertrials in jails. Alternative modes of disposal including mediation, negotiation and arbitration have been encouraged. Some legislative measures have also been introduced for improvement in judicial procedure and for expediting disposal of civil and criminal cases in courts.

Electoral reforms

3627. SHRI SHANTARAM LAXMAN NAIK: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether any of the reforms suggested by the Election Commission is under consideration of Government;

(b) the details of reforms which are under Government's consideration;

(c) by when Government proposes to introduce necessary Bill in Parliament to incorporate decisions regarding the reforms accepted by Government;

(d) whether the Election Commission has brought into force any of the reforms suggested by them, to incorporate in the Statutes through orders under Article 324 of the Constitution; and

(e) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (c) Yes, Sir. The Election Commission of India has forwarded to the Government of India a set of 22 proposals on electoral reforms, the details of which have been made available for general information of the public by the Election Commission's Press Note No. ECI/PN/26/2004 dated 2.8.2004. The process of reform of electoral laws is a continuous and ongoing process and can be carried out only through consensus among political parties and at present on the decision of the Chairman, Rajya Sabha, the entire matter of electoral reforms has been referred to the Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice for examination and report which *inter alia* includes the proposals made by the Election Commission.

(d) No, Sir.

(e) Does not arise.

Elevation from lower judiciary to High Courts

3628. SHRI AMAR SINGH:
SHRI ABU ASIM AZMI:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that the Bar Council of India has recently protested against the rule barring Judges of lower judiciary aged above 58½ years from being elevated to the High Courts;

(b) if so, the details thereof; and

(c) what action Government has taken thereon?

THE MINISTER OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ): (a) to (c) In their meeting held on 10.1.2008, the Bar Council of Delhi observed that the Judicial Officers who were above the age of 58½ years were not considered for elevation as Judges of the Delhi High Court and expressed the view that the Constitution of India does not provide for any classification of age and that in the matters of appointment of Judges to the High Court, Article 217 of the Constitution of India cannot be overlooked and any policy, written or otherwise, to this effect is inherently unconstitutional.

2. The Bar Council of India considered the above resolution of the Delhi Bar Council and informed the Delhi Bar Council that they resolve and agree with the sentiments expressed and the logic and reasoning behind the resolution and that there is no justification in fixing up the above limit. The Bar Council of India also informed the Bar Council of Delhi that the prescription of upper age limit is unreasonable and would only help to supersede the most experienced judges.

3. In the Conference of Chief Ministers and Chief Justices held on 4.12.1993, it was decided that a District Judge elevated as a Judge of the High Court should have the prospect of serving at least 3 years on the Bench. Accordingly, the Chief Justices of the High Courts were requested to initiate proposals at least 6 months prior to a Judicial officer attaining the age of 59 years so that even if 6 months are taken in processing the proposal, the person will have 3 years clear tenure on the Bench.

4. In consultation with the Chief Justice of India, in September, 2004, it was decided that a Judicial Officer shall be eligible for being considered for elevation as a Judge of the High Court if he is or was within the prescribed age limit of 58½ years or below on the date of occurrence of the vacancy against which he is being considered, irrespective of when the Collegium recommends him for elevation as a Judge of the High Court.

5. There is no proposal before the Government to make any change in the present system.

Hindu Minority Act

3629. SHRI VIJAY J. DARDA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that in accordance with the provision of the Hindu Minority and Guardianship Act, a marriage between a six months old girl and one year old boy is valid and it is neither void nor viodable;

(b) if so, whether it is incongruent with the prevailing law prescribing the age of 21 years for men and 18 years for women for a marriage to be valid; and

(c) when Government proposes to abolish such obsolete laws like the Hindu Minority and Guardianship Act, etc., so as to move with a pragmatic approach in the fast-changing universal social scenario?

THE MINISTER OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ): (a) No, Sir. The Hindu Minority and Guardianship Act, 1956 deals with the law relating to minority and guardianship. This Act does not deal with void/voidable marriages.